

**(f) Distribution of earnings; restoration of prior impairment**

The amount of any earned net income resulting from the operation of the fund at the close of each fiscal year shall be paid into the general fund of the Treasury: *Provided*, That such earned net income may be applied to restore any prior impairment of the fund, and to ensure the availability of working capital necessary to replace equipment and inventories.

(Mar. 3, 1901, ch. 872, §12, as added Aug. 3, 1956, ch. 906, §2, 70 Stat. 959; amended Pub. L. 95-322, §2(a), July 21, 1978, 92 Stat. 395; Pub. L. 99-73, §5(a), July 29, 1985, 99 Stat. 172; Pub. L. 100-418, title V, §5115(a)(1), Aug. 23, 1988, 102 Stat. 1433.)

REFERENCES IN TEXT

Act of June 29, 1950 (64 Stat. 275), referred to in subsec. (a), was the Deficiency Appropriation Act, 1950. Provisions thereof relating to Working Capital Fund are not classified to the Code.

PRIOR PROVISIONS

A prior section 12 of act Mar. 3, 1901, ch. 872, as added by act July 22, 1950, ch. 486, §2, 64 Stat. 373, related to equipment purchased by Department of Commerce to carry out investigations, prior to repeal by act Aug. 3, 1956.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-418 substituted “Institute” for “National Bureau of Standards”.

1985—Subsec. (f). Pub. L. 99-73 struck out “first” after “may be applied”, and inserted provisions relating to working capital for replacement of equipment and inventories.

1978—Subsec. (a). Pub. L. 95-322 struck out “, and additional amounts as from time to time may be required for the purposes of said fund are authorized to be appropriated” after “(64 Stat. 275)”.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-73 effective Oct. 1, 1984, see section 5(c) of Pub. L. 99-73, set out as an Effective Date note under section 275c of this title.

**§ 278c. Acquisition of land for field sites**

To the extent that funds are specifically appropriated therefor, the Secretary of Commerce is authorized to acquire land for such field sites as are necessary for the proper and efficient conduct of the activities authorized herein.

(Mar. 3, 1901, ch. 872, §13, as added Pub. L. 85-890, §1, Sept. 2, 1958, 72 Stat. 1711.)

REFERENCES IN TEXT

“Herein”, referred to in text, refers to act Mar. 3, 1901, ch. 872, which is classified generally to this chapter.

PRIOR PROVISIONS

A prior section 13 of act Mar. 3, 1901, ch. 872, as added July 22, 1950, ch. 486, §2, 64 Stat. 373, related to acceptance of gifts and bequests, prior to repeal by act Aug. 3, 1956. See sections 1522 and 1523 of this title.

**§ 278d. Construction and improvement of buildings and facilities**

Within the limits of funds which are appropriated for the Institute, the Secretary of Commerce is authorized to undertake such construction of buildings and other facilities and to

make such improvements to existing buildings, grounds, and other facilities occupied or used by the Institute as are necessary for the proper and efficient conduct of the activities authorized herein.

(Mar. 3, 1901, ch. 872, §14, as added Pub. L. 85-890, §1, Sept. 2, 1958, 72 Stat. 1711; amended Pub. L. 92-317, §3(d), June 22, 1972, 86 Stat. 235; Pub. L. 96-461, §8, Oct. 15, 1980, 94 Stat. 2051; Pub. L. 100-418, title V, §5115(a)(1), Aug. 23, 1988, 102 Stat. 1433; Pub. L. 102-245, title I, §104(f), Feb. 14, 1992, 106 Stat. 11.)

REFERENCES IN TEXT

“Herein”, referred to in text, refers to act Mar. 3, 1901, ch. 872, which is classified generally to this chapter.

AMENDMENTS

1992—Pub. L. 102-245 substituted “herein.” for “herein: *Provided*, That no improvement shall be made nor shall any building be constructed under this authority at a cost in excess of \$250,000 unless specific provision is made therefor in the appropriation concerned.”

1988—Pub. L. 100-418 substituted “Institute” for “National Bureau of Standards” wherever appearing.

1980—Pub. L. 96-461 substituted “\$250,000” for “\$75,000”.

1972—Pub. L. 92-317 substituted “\$75,000” for “\$40,000”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-461 effective Oct. 1, 1980, see section 11 of Pub. L. 96-461, set out as an Effective Date note under section 278g of this title.

FACILITIES FOR COLD NEUTRON RESEARCH

Pub. L. 101-162, title I, §104, Nov. 21, 1989, 103 Stat. 994, provided that: “Hereafter, the National Institute of Standards and Technology is authorized to accept contributions of funds, to remain available until expended, from any public or private source to construct a facility for cold neutron research on materials, notwithstanding the limitations contained in 15 U.S.C. 278d.”

**§ 278e. Functions and activities**

In the performance of the functions of the Institute the Secretary of Commerce is authorized to undertake the following activities: (a) The purchase, repair, and cleaning of uniforms for guards; (b) the care, maintenance, protection, repair, and alteration of Institute buildings and other plant facilities, equipment, and property; (c) the rental of field sites and laboratory, office, and warehouse space; (d) the purchase of reprints from technical journals or other periodicals and the payment of page charges for the publication of research papers and reports in such journals; (e) the furnishing of food and shelter without repayment therefor to employees of the Government at Arctic and Antarctic stations; (f) for the conduct of observations on radio propagation phenomena in the Arctic or Antarctic regions, the appointment of employees at base rates established by the Secretary of Commerce which shall not exceed such maximum rates as may be specified from time to time in the appropriation concerned, and without regard to the civil service and classification laws and sections 5542 to 5546 of title 5; (g) the erection on leased property of specialized facilities and working and living quarters when the Secretary of Commerce determines that this will best serve the interests of the Government;